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2-11-04
Lisa M. Davis
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Docket No. 5677-216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark J. Chimel et al.

Filed: September 25, 2003 Group Art Unit: 1761

Serial No: 10/672,232 Examiner: TBA

For: BARS AND CONFECTIONERIES CONTAINING COCOA SOLIDS HAVING A HIGH COCOA POLYPHENOL CONTENT AND STEROL/STANOL ESTERS AND PROCESSES FOR THEIR PREPARATION

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the foreign patent documents listed thereon. Copies of the United States documents are not being provided.

Applicants respectfully request the Examiner's consideration of the cited reference and entry into the record of this application and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

The present Information Disclosure Statement has been submitted prior to the receipt of an Office Action in this application. Accordingly, no fee is due. However, in the event that a first Office Action was mailed on or before the date of submission of this disclosure statement, the Commissioner is hereby authorized to charge any fees to deposit Account No. 50-0521.

Respectfully submitted,

Date: February 11, 2004

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FORM PTO-1449 TRADEMARK		Department of Commerce Patent and Trademark Office	Serial No. 10/672,232
		INFORMATION DISCLOSURE STATEMENT	Inventors: Mark J. Chimel et al.
		(Use several sheets if necessary)	Docket No. 5677-216

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	U.S. 6,391,370	5-21-02	Rogers et al.	426	611	11-12-99
	U.S. 6,399,137	6-4-02	Dartey et al.	426	602	8-31-1998
	U.S. 6,423,363	7-23-02	Traska et al.	426	604	
	U.S. 6,610,320	8-26-03	Schmitz et al.	424	440	
	U.S. 2003/0148007	8-7-03	M.J. Schevers et al.	426	306	
	U.S. 2002/0090438	7-11-02	G. J. Mesu et al.	426	573	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
	WO 2002/082929	24-10-02	PCT	
	WO 2002/100412	19-12-02	PCT	
	WO 2002/55639	18-7-02	PCT	
	JP 62-126966A	6-9-87	Japan	YES (also English Abstract)

OTHER DOCUMENTS

EXAMINER INITIAL	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Form PTO-1449 [6-4]